

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AT&T COMMUNICATIONS OF  
CALIFORNIA, INC., et al.

Plaintiffs,

v.

PAC-WEST TELECOMM, INC., et al.

Defendants.

No. C 06-07271 JSW

**ORDER ENTERING LIMITED  
STAY**

On May 8, 2007, Defendant Pac-West Telecomm, Inc. filed a Notice of Bankruptcy and Automatic Stay. Also named as Defendants are Michael R. Peevey, Commissioner of the California Public Utilities Commission ("CPUC"), and Geoffrey F. Brown, Dian M. Grueneich, John Bohn and Rachelle Chong, Commissioners of the CPUC. Each of these defendants are named in their official capacities and are collectively referred to herein as the CPUC Defendants.

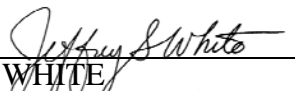
On May 11, 2007, pursuant to a prior order of this Court, AT&T Communications of California, Inc. ("AT&T") filed its opening brief on cross-motions for summary judgment that are set to be heard on July 13, 2007. AT&T filed its opening motion only with respect to the CPUC Defendants, in light of the Notice of Bankruptcy. AT&T states, in a footnote of its opening brief, that it intends "to move expeditiously to file the appropriate protective motion with the Bankruptcy Court seeking confirmation that the automatic stay does not apply to claims against the Commissioners." (AT&T Br. at 1 n.1.)

1 The Court HEREBY ENTERS A LIMITED STAY of this action pending a ruling from  
2 the Bankruptcy Court on whether the stay applies to all claims in this action or only to those  
3 claims asserted against Pac-West. All deadlines and the hearing on AT&T's motion are  
4 HEREBY VACATED.

5 AT&T and the CPUC Defendants are directed to submit a joint status report within 30  
6 days of the date of this Order advising the Court of the Bankruptcy Court's ruling on the scope  
7 of the stay. Upon receipt of a ruling from the Bankruptcy Court that this matter can proceed  
8 against the CPUC Defendants, the Court shall set a further briefing schedule and hearing on the  
9 cross-motions for summary judgment.

10 **IT IS SO ORDERED.**

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12 Dated: May 16, 2007

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE